



**DECLARATION AND POWER OF
ATTORNEY FOR PLANT
PATENT APPLICATION
(37 CFR 1.63)**



Declaration
Submitted
with Initial
Filing



Declaration
Submitted
after Initial
Filing

| | |
|----------------------|-------------------|
| Attorney Docket No. | 1236-072PP |
| First Named Inventor | Masao BESSHO |
| COMPLETE IF KNOWN | |
| Application Number | 10/780,285 |
| Filing Date | February 17, 2004 |
| Group Art Unit | Not available |
| Examiner Name | Not available |

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **CALIBRACHOA PLANT NAMED 'KAKEGAWA S70'** which is claimed and for which a plant patent application for Letters Patent of the United States was filed on February 17, 2004 having Serial number 10/780,285.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

Averment under 37 CFR 1.162: I have asexually reproduced the new and distinct variety. This new variety was developed in a cultivated area.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I or we hereby appoint the registered practitioner(s) associated with Customer No. **32905** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence to Customer Number **32905**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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|--|--|----------------------------|----------------------------|
| NAME OF SOLE OR FIRST INVENTOR: | [] A petition has been filed for this unsigned inventor | | |
| Given Name: (first and middle [if any]) | Masao | Family Name or Surname: | BESSHO |
| Inventor's Signature: | <i>Masao Bessho</i> | | Date: <i>7. June, 2004</i> |
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|--|----------------------------|---|--------------------|
| NAME OF SECOND INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name: (first and middle [if any]) Toshimi | | Family Name or Surname: OHGA | |
| Inventor's Signature: <i>Toshimi Ohga</i> | | Date: <i>May 26, 2004</i> | |
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